

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

YVONNE FROST,

Plaintiff,

-against-

WHOLE FOODS MARKET, et al.,

Defendants.

1:20-CV-0234 (CM)

ORDER OF DISMISSAL
UNDER 28 U.S.C. § 1651

COLLEEN McMAHON, Chief United States District Judge:

In an order dated November 7, 2019, and entered the next day, the Court barred Plaintiff from filing any new civil action in this Court *in forma pauperis* (IFP) without first obtaining from the Court leave to file. *See Frost v. City of New York (HRA)*, ECF 1:19-CV-8936, 6 (S.D.N.Y. Nov. 7, 2019). On January 8, 2020, Plaintiff filed this new *pro se* civil action in which she seeks to proceed IFP. But she has not sought leave from the Court to file this action. The Court therefore dismisses this action without prejudice for Plaintiff's failure to comply with the November 7, 2019 order in *Frost*, ECF 1:19-CV-8936, 6.

The Court directs the Clerk of Court to assign this matter to my docket and note service on the docket. Plaintiff has consented to electronic service of Court documents. (ECF 3.) The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that any appeal from this order would not be taken in good faith and therefore IFP status is denied for the purpose of an appeal. *See Coppededge v. United States*, 369 U.S. 438, 444-45 (1962).

SO ORDERED.

Dated: January 14, 2020
New York, New York



COLLEEN McMAHON
Chief United States District Judge